THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.18036 of 2005

Dt:17.08.2005

Between:

K.Parameshwar Rao and others

.. Petitioners

and

State of A.P., and another

.. Respondents

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.18036 of 2005

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ORDER:

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This writ petition is filed by the petitioners to declare the action of the second respondent-Mandal Revenue Officer, Visakhapatnam in attempting to evict them from the land admeasuring Ac.2.06 cents in Sy.No.181/1, situated at Paradesipalem village, Visakhapatnam District, as illegal and arbitrary.

It is the case of the petitioners that the second respondent through his proceedings dated 15.04.1960 has assigned Ac.2.00 of dry land in Sy.No.178/1 of Paradesipalem village, Visakhapatnam District in favour of their mother. Since the date of assignment she has been in possession and enjoyment of the said land. While so, on 20.04.1987, the second respondent issued a notice on 20.04.1987 to the mother of the petitioners calling her objections for entering her name in the Register of Records of Rights in respect of Ac.2.06 cents of dry land. Accordingly her name was entered in the Register of Records of Rights in respect of the said land. Thereafter, the mother of the petitioners executed a Will on 16.11.1983 in favour of the petitioners. After her death, the petitioners came into possession of the said land. Now, the respondents are trying to evict the petitioners from the land in question without following due process of law.

When the writ petition has come up for admission, the learned Government Pleader for Revenue, submits that D-Form patta was granted to the mother of the petitioners in the year 1960. He further submits that the respondents are not interfering with the peaceful possession and enjoyment of the petitioners over the land in question.

Recording the submissions made by the learned Government Pleader that the respondents are not interfering with the peaceful possession and enjoyment of the petitioners over the land in question, no further orders are necessary to be passed in this writ petition.

The writ petition is accordingly disposed of. There shall be no order as to costs.

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17.08.2005

kdl

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